

09/17/01

JC852 U.S. PTO

09-19-01 09/17/01 09/17/01

A

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 02821.P004X

(maximum 12 characters)

First Named Inventor Jason S. Scott, et al.

Title: Enhancing Utility and Diversifying Model Risk in a Portfolio Optimization Framework

Express Mail Label No. EL 886506955 US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)
2. ☐ **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3. ☒ **Specification (Total Pages 49)**
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ **Drawings(s) (35 USC 113) (Total Sheets 10)**
5. ☒ **Oath or Declaration (Total Pages 5)**
 - a. ☐ Newly Executed (Original or Copy)
 - b. ☐ Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)
 - i. ☐ **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. ☒ Unsigned.
6. ☐ **Application Data Sheet. (37 CFR 1.76)**
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies), or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

Docket No. 02821.P004X
Express Mail No. EL886506955US

JC971 U.S. PTO

09/955394

09/17/01

| | | |
|-----|--------------|----------------------------------------------------------------------------------------------------------------------------------|
| 9. | _____ | Assignment Papers (cover sheet & documents(s)) |
| 10. | _____ | a. Separate 37 CFR 3.73(b) Statement (where there is an assignee) |
| | <u> X </u> | b. Power of Attorney |
| 11. | _____ | English Translation Document (if applicable) |
| 12. | _____ | a. Information Disclosure Statement (IDS)/PTO-1449 |
| | _____ | b. Copies of IDS Citations |
| 13. | _____ | Preliminary Amendment |
| 14. | <u> X </u> | Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| 15. | _____ | Certified Copy of Priority Document(s) (if foreign priority is claimed) |
| 16. | <u> X </u> | Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). <u>Applicant must attach form PTO/SB/35 or its equivalent.</u> |
| 17. | _____ | Other: _____ |

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

| | | |
|---------------------------------------------|---------------------------------|-----------------------------------------|
| _____ Continuation | _____ Divisional | <u> X </u> Continuation-in-part (CIP) |
| Of Prior Application No.: <u>09/151,715</u> | Examiner <u>Thomas A. Dixon</u> | Group Art Unit <u>2161</u> |

(which is a _____ continuation/ _____ divisional/ _____ CIP of prior application no. _____,
which is a _____ continuation/ _____ divisional/ _____ CIP of prior application no. _____) (List entire chain of priority)

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:
The undersigned states that _____ (name of assignee) is
the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an
assignment recorded in the Patent and Trademark Office at Reel No. _____ Frame No. _____
(or a copy of which is attached).

19. Correspondence Address

| | |
|-------------------------------------------|-----------------------------------------------------|
| _____ Customer Number or Bar Code Label | _____ |
| or | (Insert Customer No. or Attach Bar Code Label here) |
| <u> X </u> Correspondence Address Below | |

NAME Michael A. DeSanctis
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (303) 740-1980 FAX (303) 740-6962

Name (PRINT/TYPE) Michael A. DeSanctis Registration No.: 39,957
Signature: [Signature] Date: 9/17/01

Serial/Patent No.: Unassigned Filing/Issue Date: Concurrently
Client: Financial Engines, Inc.
Title: Enhancing Utility and Diversifying Model Risk in a Portfolio Optimization Framework
BSTZ File No.: 02821.P004X Atty/Secty Initials: MAD/fr
Date Mailed: 9-17-01 Docket Due Date: _____

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input checked="" type="checkbox"/> Express Mail No. <u>EL886506955US</u> | <input checked="" type="checkbox"/> Check No. <u>1889</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time | Amt. <u>\$1,408.00</u> |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO 1449 (____ pgs.) | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) | <input type="checkbox"/> Issue Fee Transmittal | Amt. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input checked="" type="checkbox"/> Application - Rule 1.53(b) CIP (<u>49</u> pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input type="checkbox"/> Petition for _____ | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) | |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input type="checkbox"/> Preliminary Amendment (____ pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Orig. & Copy of Inventor's Signed Letter (____ pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate | |
| <input checked="" type="checkbox"/> Drawings: <u>10</u> # of sheets includes <u>12</u> figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

☐ Other: _____

EL886506955US

"Express Mail" mailing label number: EL886506955US

Date of Deposit: September 17, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Fran C. Rolfsen

(Name of person mailing paper or fee)

Fran C. Rolfsen

(Signature of person mailing paper or fee)

9-17-01

(Date signed)

FEE TRANSMITTAL FOR FY 2001**TOTAL AMOUNT OF PAYMENT (\$)** \$ 1,408.00**Complete if Known:**

Application No. Unassigned
 Filing Date Concurrently
 First Named Inventor Jason S. Scott, et al.
 Group Art Unit Unassigned
 Examiner Name Unassigned
 Attorney Docket No. 02821.P004X

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check
☐ Credit Card
☐ Money Order
☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|-----------------|----------|--------------|----------|------------------------------------|------------------|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 101 | 710 | 201 | 355 | Utility application filing fee | <u>\$ 710.00</u> |
| 106 | 320 | 206 | 160 | Design application filing fee | _____ |
| 107 | 490 | 207 | 245 | Plant filing fee | _____ |
| 108 | 710 | 208 | 355 | Reissue filing fee | _____ |
| 114 | 150 | 214 | 75 | Provisional application filing fee | _____ |
| SUBTOTAL (1) \$ | | | | | <u>710.00</u> |

2. EXTRA CLAIM FEES

| | | | Extra Claims | Fee from below | Fee Paid |
|--------------------|-----------|----------|--------------|----------------|-----------------|
| Total Claims | <u>41</u> | - 20** = | <u>21</u> | X \$ 18.00 = | <u>\$378.00</u> |
| Independent Claims | <u>7</u> | - 3** = | <u>4</u> | X \$ 80.00 = | <u>\$320.00</u> |
| Multiple Dependent | | | | | = _____ |

**Or number previously paid, if greater; For Reissues, see below.

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|-----------------------------------------------------------|
| Code | Fee (\$) | Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$ 698.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|---------------------------|----------|--------------|----------|----------------------------------------------------------------------------|----------|
| Code | Fee (\$) | Code | Fee (\$) | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 130 | 123 | 130 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | For filing a submission after final rejection (see 37 CFR 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (see 37 CFR 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |
| Other fee (specify) _____ | | | | | |

SUBTOTAL (3) \$ _____

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Michael A. DeSanctis

Signature: [Signature] Date: 9/17/01

Reg. Number: 39,957 Telephone Number: (303) 740-1980

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

EXPRESS MAIL CERTIFICATE OF MAILING

I hereby certify that I am causing the above-referenced correspondence to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated below and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Date of Deposit: September 17, 2001

Name of Person Mailing Correspondence: Fran C. Rolfsen

[Signature]
Signature

9-17-01
Date